

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

F5 CAPITAL, A CAYMAN ISLANDS
CORPORATION

Plaintiff,

-against-

PETROS PAPPAS, *et al.*,

Defendants

-and-

STAR BULK CARRIERS CORP.,

Nominal Defendant.

No. 14-cv-09356 (AT)(MHD)

Oral Argument Requested

**NOTICE OF THE MONARCH DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S SECOND AND FOURTH CAUSES OF ACTION**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of the Monarch Defendants' Motion to Dismiss Plaintiff's Second and Fourth Causes of Action alleged in the Complaint of Plaintiff F5 Capital filed October 23, 2014, the Declaration of Tariq Mundiya in support thereof, and all prior papers and proceedings herein, Defendants Monarch Alternative Capital LP, Monarch Alternative Solutions Master Fund Ltd, Monarch Capital Master Partners II-A LP, Monarch Capital Master Partners II LP, Monarch Debt Recovery Master Fund Ltd, Monarch Opportunities Master Fund Ltd, and P Monarch Recovery Ltd. (collectively, "Monarch") will move this Court, before the Honorable Analisa Torres, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and at a time designated by the Court, for an Order dismissing F5's Second and Fourth Causes of Action alleged in the Complaint with prejudice pursuant to Rule 12(b) of the

Federal Rules of Civil Procedure and granting such other and further relief as this Court may deem just and proper.

DATED: March 4, 2015

Respectfully submitted,

WILLKIE FARR & GALLAGHER, LLP

By: /s/ Tariq Mundiya

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Debt Recovery Master Fund Ltd, Monarch
Opportunities Master Fund Ltd, P Monarch
Recovery Ltd., and Roger Schmitz*

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on March 4, 2015, copies of the foregoing Notice of the Monarch Defendants' Motion to Dismiss Plaintiff's Second and Fourth Causes of Action, the Memorandum of Law in support thereof, and the Declaration of Tariq Mundiya in support thereof, were filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic system.